

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

V.

³¹⁶
CR 14-314 VC

RYAN KELLY CHAMBERLAIN

DEFENDANT(S).

SUPERSEDING INDICTMENT

COUNT ONE: 26 U.S.C. 5861(d) -- Possession of an Unregistered
Destructive Device

COUNT TWO: 18 U.S.C. 922(k) -- Possession of a Firearm with
Serial Number Removed

COUNT THREE: 18 U.S.C. 175(b) -- Possession of Toxin

A true bill.

Nancy J. Peterson
Foreman

Filed in open court this 25th day of

September 2014
A. Still
Clerk

Bail, \$ 100,000

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED

Count 1: 26 U.S.C. 5861(d) -- Possession of an Unregistered Destructive Device

Count 2: 18 U.S.C. 922(k) -- Possession of a Firearm with Serial Number Removed

(Count 3: 18 U.S.C. 175(b) -- Possession of Toxin

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

 PENALTY: 26 U.S.C. 5861(d) -- 10 years Imprisonment, 3 year period of supervised release, \$10,000 fine, \$100 special assessment.
 18 U.S.C. 922(k) -- 5 years Imprisonment, 3 year period of supervised release, \$250,000 fine, \$100 special assessment.
 18 U.S.C. 175(b) -- 10 years Imprisonment, 3 year period of supervised release, \$250,000 fine, \$100 special assessment.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

RYAN KELLY CHAMBERLAIN II

DISTRICT COURT NUMBER

CR - 14-00316 VC

DEFENDANT**IS NOT IN CUSTODY**

- Has not been arrested, pending outcome this proceeding.
- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☒ Awaiting trial on other charges

 If answer to (6) is "Yes", show name of institution
 US Marshal's Service (NDCA)

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

 DATE OF ARREST
 Month/Day/Year
 June 2, 2014

Or... If Arresting Agency & Warrant were not

 DATE TRANSFERRED TO U.S. CUSTODY
 Month/Day/Year
☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☒ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

 Name and Office of Person
 Furnishing Information on this form Philip J. Kearney

☒ U.S. Attorney ☐ Other U.S. Agency

 Name of Assistant U.S.
 Attorney (if assigned)
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments: _____

MELINDA HAAG (CABN 132612)
United States Attorney

FILED
2014 SE. 25 P 2:45
CLERK OF DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RYAN KELLY CHAMBERLAIN II,

Defendant.

No. CR-14-00316 VC

VIOLATIONS:

Title 26, United States Code, Section 5861(d) –
Possession of an Unregistered Firearm;
Title 18, United States Code, Section 922(k) –
Possession of a Firearm with the Manufacturer's
Serial Number Removed; Title 18, United States
Code, 175(b) – Possession of Biological Toxin; Title
18, United States Code, Section 924(d) – Firearm
Related Forfeiture; Title 26, United States Code,
Section 5872 – Firearm Related Forfeiture; Title 18,
United States Code, Section 176 – Forfeiture of
Biological Toxin, Delivery System

SAN FRANCISCO VENUE

SUPERSEDING INDICTMENT

The Grand Jury charges that:

COUNT ONE: (26 U.S.C. § 5861(d) – Possession of an Unregistered Firearm)

1. On or about May 31, 2014, in the Northern District of California, the defendant,

RYAN KELLY CHAMBERLAIN II,

SUPERSEDING INDICTMENT

1 knowingly possessed a firearm, to wit: a destructive device as defined by Title 26, United States Code
2 §§ 5845(a)(8) and 5845(f), which was not registered to him in the National Firearms Registration and
3 Transfer Record; all in violation of Title 26, United States Code, Section 5861(d).

4 COUNT TWO: (18 U.S.C. § 922(k) – Possession of a Firearm with the Manufacturer’s Serial
5 Number Removed)

6 2. On or about May 31, 2014, in the Northern District of California, the defendant,
7 RYAN KELLY CHAMBERLAIN II,
8 knowingly possessed a firearm which had the manufacturer’s serial number removed, obliterated, or
9 altered, and had been shipped and transported in interstate and foreign commerce; all in violation of
10 Title 18, United States Code, Section 922(k).

11 COUNT THREE: (18 U.S.C. § 175(b) – Possession of a Biological Toxin)

12 3. On or about May 31, 2014, in the Northern District of California, the defendant,
13 RYAN KELLY CHAMBERLAIN II,
14 knowingly possessed a biological agent, toxin, and delivery system, to wit, abrin, as defined in 18
15 United States Code, Section 178(2), which was not in its naturally occurring form, and was of a type and
16 in a quantity that, under the circumstances, was not reasonably justified by a prophylactic, protective,
17 bona fide research, or other peaceful purpose; all in violation of Title 18, United States Code, Section
18 175(b).

19 FORFEITURE ALLEGATION: (26 U.S.C. § 5872; 18 U.S.C. §§ 176 and 924(d) --Forfeiture of
20 Firearms, Ammunition, and Biological Toxin and Delivery System)

21 4. The factual allegations contained in Counts One, Two, and Three of this Superseding
22 Indictment are re-alleged and by this reference fully incorporated herein for the purpose of alleging
23 forfeiture.

24 5. Upon a conviction of the offense alleged in Count One of this Superseding Indictment,
25 the defendant,

26 RYAN KELLY CHAMBERLAIN II,
27
28

SUPERSEDING INDICTMENT

1 shall, pursuant to Title 26, United States Code, Section 5872, forfeit to the United States any firearm as
2 defined in 26, United States Code, Section 5845(a), involved in a violation Title 26, United States Code,
3 Section 5871, including but not limited to the following:

4 a. Components of an improvised explosive device seized on or about May 31, 2014.

5 6. Upon a conviction of the offense alleged in Count Two of this Superseding Indictment,
6 the defendant,

7 RYAN KELLY CHAMBERLAIN II,

8 shall, pursuant to Title 18, United States Code, Section 924(d), forfeit to the United States any firearm
9 or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section
10 922(k), including, but not limited to, the following property:

11 a. .22 caliber Derringer pistol, serial number unknown;

12 b. 42 rounds of .22 caliber ammunition.

13 7. Upon a conviction of the offense alleged in Count Three of this Superseding Indictment,
14 the defendant,

15 RYAN KELLY CHAMBERLAIN II,

16 shall, pursuant to Title 18, United States Code, Section 176, forfeit to the United States any biological
17 toxin or delivery system involved in a violation of Title 18, United States Code, Section 175(b),
18 including but not limited to the following property seized on or about May 31, 2014:

19 a. abrin;

20 b. plastic vials and flashlights used to conceal the abrin.

21 DATED:

A TRUE BILL.

22 *September 25, 2014*

Nancy J. Peterson
FOREPERSON

23 MELINDA HAAG
24 United States Attorney

25 *J. Douglas Wilson*
26 J. DOUGLAS WILSON
Chief, Criminal Division

27 (Approved as to form: *[Signature]*)

28 PHILIP J. KEARNEY
Assistant United States Attorney

SUPERSEDING INDICTMENT